

Part 6

Contesting a Resolution or Proceeding

17D-2-601 Publishing notice of local entity or local building authority resolution or other proceeding.

- (1) The governing body of a local entity or the authority board of a local building authority may provide for the publication of a resolution or other proceeding adopted under this chapter by the governing body or authority board, respectively:
 - (a) in a newspaper of general circulation in the local entity; and
 - (b) as required in Section 45-1-101.
- (2)
 - (a) If the resolution or other proceeding provides for the local building authority's issuance of bonds, the authority board may, in lieu of publishing the entire resolution or other proceeding, publish a notice of the bonds to be issued.
 - (b) Each notice under Subsection (2)(a) shall comply with the requirements of Subsection 11-14-316(2).
 - (c) The authority board of a local building authority publishing a notice under Subsection (2)(a) shall make a copy of the resolution or other proceeding authorizing the issuance of the local building authority bonds available for public inspection during regular business hours at the office of the local building authority for a period of at least 30 days after publication of the notice.

Amended by Chapter 388, 2009 General Session

17D-2-602 Contesting the legality of a resolution or other proceeding -- No cause of action after contest period.

- (1) For a period of 30 days after publication of a resolution or other proceeding under Subsection 17D-2-601(1) or a notice under Subsection 17D-2-601(2), any person in interest may file an action in district court contesting the regularity, formality, or legality of:
 - (a) a resolution or other proceeding;
 - (b) any bonds or a lease agreement authorized by a resolution or other proceeding; or
 - (c) any provision made for the security or payment of local building authority bonds or lease agreement.
- (2) After the period referred to in Subsection (1), no one may have a cause of action to contest for any reason the regularity, formality, or legality of any of the matters listed in Subsection (1).

Amended by Chapter 369, 2012 General Session